

AT-A-GLANCE

OAR 845-006-0500 Suspensions and Civil Penalties

Initial Action

(To amend an existing rule & revise Exhibit 1 – Sanctions/Violations)

December 2008

This rule describes the various sanctions the Commission imposes on licensees, including cancellation or suspension of a license, and civil penalties. This rule also references Exhibit 1, which lists the proposed sanctions for the first and subsequent violations within each violation category and also provides the categories for the most common violations. This Exhibit is not part of the Oregon Administrative Rule (OAR) compilation.

Staff proposes amendments to achieve three goals. The first is to raise Financial Assistance violations from a Category IV to a Category III violation. The second is to remove “previous lengthy history of compliance” as a possible reason for mitigating a sanction. And the third is to add “failure to use age verification equipment which was purchased as an offset to a previous penalty” as a possible reason for aggravating a sanction.

While not part of the formal rulemaking process with the Secretary of State (SOS), staff also proposes revising Exhibit 1, both to make the corresponding change in the Category level for Financial Assistance violations and to also update language and rule citations to reflect rule amendments the Commission has adopted in the past year.

SUGGESTED MOTION:

I move to initiate rulemaking to amend OAR 845-006-0500, revise Exhibit 1, and to hold a rulemaking hearing at staff's discretion.